

SUBCHAPTER D : ANALYSIS AND TESTING

§106.121. Hydraulic and Hydrostatic Testing Equipment (Previously SE 12).

Equipment used for hydraulic or hydrostatic testing is exempt.

Adopted February 19, 1997

Effective March 14, 1997

§106.122. Bench Scale Laboratory Equipment (Previously SE 34).

Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analyses are exempt.

Adopted February 19, 1997

Effective March 14, 1997

§106.123. Vacuum-producing Devices for Laboratory Use (Previously SE 49).

Vacuum-producing devices used in laboratory operations are exempt.

Adopted February 19, 1997

Effective March 14, 1997

§106.124. Pilot Plants (Previously SE 76).

Any new or modified pilot plant is exempt, provided the following conditions of this section are met.

(1) For purposes of this section, a pilot plant is defined as a facility that is constructed and operated only for one of the following purposes:

- (A) testing the manufacturing or marketing potential of a proposed product; or
- (B) defining the design of a larger plant; or
- (C) studying the behavior of an existing plant through modeling in the pilot plant.

(2) The sum of product, co-product, and by-product production design capacity from the pilot plant shall not exceed five million pounds per year.

(3) Operation of the pilot plant for purposes of testing market potential of a product, co-product, or by-product may not occur beyond the end of the fifth calendar year from the year of initial production (year 1) of the specific product, co-product, or by-product, unless a permit is obtained under §116.110 of this title (relating to Applicability). This five-year limit on pilot plant activity applies to equipment devoted to development of one specific product or process; therefore, that equipment can be subsequently used for development of other process(es) or product(s), setting a new time limit for its use.

(4) The pilot plant shall be located at least 500 feet from any recreational area or residence or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located.

(5) New or increased emissions shall not exceed 6.0 pounds per hour (lb/hr) and ten tons per year in total (including fugitives) and shall not exceed 1.0 lb/hr at any single stack (excluding fugitives). In addition, total new or increased emissions of each specific chemical shall not exceed the most stringent applicable requirement of the following:

(A) the chemical-specific emission limits determined by §106.262(3) of this title (relating to Facilities (Emission and Distance Limitations) (Previously SE 118));

(B) the chemical-specific emission limits determined by §106.261(4) of this title (relating to Facilities (Emission Limitations) (Previously SE 106)); or

(C) 6.0 lb/hr for any simple asphyxiant as defined by the American Conference of Governmental Industrial Hygienists.

Adopted February 19, 1997

Effective March 14, 1997